

**MINUTES OF THE  
LAW ENFORCEMENT AND CRIMINAL JUSTICE INTERIM COMMITTEE**

Wednesday, May 23, 2001 – 2:00 p.m. – Room 416 State Capitol

**Members Present:**

Sen. D. Chris Buttars, Chair  
Rep. DeMar "Bud" Bowman, Chair  
Sen. Gene Davis  
Sen. John W. Hickman  
Sen. Pete Suazo  
Sen. John L. Valentine  
Rep. Douglas C. Aagard  
Rep. Trisha S. Beck  
Rep. Duane E. Bourdeaux  
Rep. Patricia W. Jones  
Rep. Rebecca D. Lockhart  
Rep. Ty McCartney  
Rep. Loraine T. Pace  
Rep. Brent D. Parker  
Rep. Paul Ray  
Rep. Jack A. Seitz  
Rep. Matt Throckmorton

**Members Absent:**

None

**Staff Present:**

Ms. Chyleen A. Arbon, Research Analyst  
Ms. Susan Creager Allred, Associate General Counsel  
Ms. Wendy Bangerter, Legislative Secretary

**Note:** A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

**1. Committee Business**

Chair Bowman called the meeting to order at 2:50 p.m. He apologized for the late start due to legislators' caucus meetings.

**MOTION:** Rep. Parker moved to approve the minutes of the April 18, 2001 meeting. The motion passed unanimously, with Sen. Davis, Sen. Hickman, Rep. Aagard, Rep. Lockhart, Rep. McCartney, Rep. Ray, and Rep. Throckmorton absent for the vote.

**2. Overview of Methamphetamine Problem and Current Policy**

Ms. Chyleen Arbon, Research Analyst, Office of Legislative Research and General Counsel, explained that methamphetamine (meth) is a controlled substance that is extremely addictive and produces devastating side effects. However, it was originally used for legitimate medical purposes such as weight loss, Attention Deficit Disorder, and narcolepsy. She referred to research conducted by Dr. David Musto at Yale University regarding the evolution of drug epidemics in America, which indicates that the major key to addressing the drug problem is education. She provided a statistical overview of the current problem of meth use, manufacturing, and selling in Utah and reviewed the

current laws regarding the possession, manufacture, and sale of meth and its precursors. She referred to the statewide crime reduction plan created by the Commission on Criminal and Juvenile Justice, and noted the numerous, multi-jurisdictional drug law enforcement task forces and drug courts in existence throughout the state. She emphasized that focusing more on demand reduction could be most effective; and explained that the balanced approach being recommended by other states and the federal government includes prevention, treatment, and law enforcement.

Ms. Lisa Jorgensen, Division of Child and Family Services (DCFS), Department of Human Services, reviewed the dangers of exposing children to meth. These children suffer lifelong disabilities. She talked about the effects of meth use and addiction on families and children's life styles, which always include the presence of weapons and pornography. She emphasized the need to treat women, especially in their child bearing years; and emphasized the need to treat entire families because the children have been socialized into drug and crime lifestyles, as well as having become predisposed to become addicts later in life.

Mr. Bill McCarthy, West Valley City Police Department, spoke of the need for continued and increased coordination between law enforcement agencies, DCFS and Child Protective Services (CPS); formalized training for both DCFS and CPS; a better understanding of and increased support for drug courts; and a firm definition from the legislature, as well as from the courts, of "endangerment of a child" in a home where drugs are present. He also indicated that he was initially skeptical about drug courts, but has seen first-hand their effectiveness in turning lives around.

### **3. Prevention and Treatment – Problems and Recommendations**

Mr. Patrick Fleming, Director, Division of Substance Abuse, Department of Human Services, gave a presentation "Methamphetamine – Its Impact on Utah from a Substance Abuse Treatment Perspective." He also distributed the "Fiscal Year 2000 Annual Report" from the Division of Substance Abuse. He noted that of the women admitted for treatment for meth addiction, 90 percent of them have children at home. He noted that there are approximately 90,000 people in Utah who need treatment services, and there is a capacity for only about 23,000 treatment admissions, resulting in long waiting lists. Mr. Fleming reviewed four recommendations for addressing the methamphetamine problem: 1) provide better treatment for young women, both in prison during their incarceration and in the community following their release; 2) request the Access to Health Care and Coverage Task Force to study the possibility of increasing the private provider market by making treatment insurance based; 3) continue to apply managed care principles to public substance abuse treatment systems; and 4) continue to increase funding for drug courts, which have proven to be very effective.

Mr. Michael Findeis, Director, Substance Abuse Treatment Services, Department of Corrections, distributed a summary of the demographics of incarcerated meth-abusing women with dependent children, including how many are incarcerated, length of incarceration, how many children

they have, and the effect the mother's meth dependency has on her children. He noted that 236 children are currently in the custody of the state due to the incarceration of their primary care provider for drug offenses. He emphasized that treatment in a correctional setting reduces recidivism rates; however, treatment must continue after incarceration because treatment takes longer than the time offenders are incarcerated. He recommended three areas of focus for legislators: 1) recognize addiction as a disease and treat it as such; 2) increase education and prevention efforts; and 3) increase the capacity to provide treatment for women. He emphasized that meth is an equal opportunity addiction, affecting people of all ages, races, and economic backgrounds.

Mr. Verne Larsen, Coordinator, Safe and Drug-Free Schools, State Office of Education, emphasized that prevention, intervention, and treatment used together work most effectively. He said it is easier to build a child than to repair an adult. He distributed and reviewed a school-based prevention program, "Prevention Dimension," which has been nationally recognized as an exemplary substance abuse program to educate children in grades K-12. He stated that the program not only gives the child age-appropriate knowledge, but the children participate in learning life skills and social competency skills. He spoke of the effort to also get information through schools, to parents and communities. He distributed a CD containing music used in the prevention program that was distributed to each fifth grade student in Utah this year. He emphasized the need to fund research-based prevention programs and indicated that prevention costs the state less than incarceration and treatment programs, even though these are all necessary elements to reduce drug use.

#### **4. Law Enforcement – Problems and Recommendations**

Mr. Charles Illsley, West Valley City Police Department, emphasized that meth is Utah's number one public safety issue and is not a problem that law enforcement can arrest its way out of. He stated that meth involvement has become a common denominator in all violent crimes. He feels the only thing that will help is a unified, three-point effort: 1) prevention by teaching self-esteem and character building skills; 2) enforcement of the laws; and 3) treatment. He emphasized that in Utah there is no broadly distributed and consistent message being given to the public about the dangers of meth. It has been passed off as a biker drug and a weight-loss drug. He asked the legislature to specifically consider supporting the development of a unified message to educating the population, supporting law enforcement, and funding an increased capacity for treating addicts.

#### **5. Other Problems Related to Methamphetamine Abuse**

Mr. Marvin Dodge, Administrator, Utah Substance Abuse and Anti-Violence Coordinating Council (USSAV), explained that USSAV was created 10 years ago in lieu of hiring a drug czar. He explained that there are two other issues related to meth that need attention: meth lab cleanup (decontamination) standards for property and Initiative B that passed last year that essentially eliminated forfeiture of property used in a drug offense. He explained that rooms where a meth lab has existed contain dangerous residues and become a critical public health issue for future,

unsuspecting tenants. He explained that the passage of Initiative B can make law enforcement officers who seize assets personally responsible for three times the value of the items seized. Therefore, law enforcement has stopped seizing property for forfeiture. He said that USSAV strongly urges the legislature to readdress certain portions of the initiative.

**6. Other Items / Adjourn**

**MOTION:** Rep. Throckmorton moved to adjourn the meeting. The motion passed unanimously, with Sen. Davis, Sen. Hickman, and Rep. Bourdeaux absent for the vote.

Chair Bowman adjourned the meeting at 4:53 p.m.